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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER	
KHAN, ASHER R	

ART UNIT	PAPER NUMBER
2621	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/759,461	SEO ET AL.	
	Examiner	Art Unit	
	ASHER KHAN	2621	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on *7/11/2008*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-11 and 26-57* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-11 and 26-57* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date *See Continuation Sheet*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

Continuation of Attachment(s) 3). Information Disclosure Statement(s) (PTO/SB/08), Paper No(s)/Mail Date :8/27/2008;07/11/2008;06/10/2008;05/07/2008;04/07/2008.

DETAILED ACTION

Response to Arguments

Applicant's arguments filed July 11, 2008 have been fully considered but they are not persuasive.

In re page 12-13, applicants argue that Kato and/or Okada for claim 1, fail to teach navigation information " for reproducing presentation data from the first file" and that presentation data includes the “still picture and associated data” and is “divided into still picture units in the first file such that each still unit includes a still picture and associated data.”

In response, the examiner respectfully disagrees. Kato discloses navigation information (EP_Map; 0346-0348) while Okada disclosing "for reproducing presentation data from the first file (Still picture data is stored in a vide part stream ST1; Abstract)”. Okada also disclose “Still picture (Abstract) and associated data (Subtitle stream as associated data; Col. 24, lines 34-49). Okada also disclose dividing of (ST1 in abstract) into plurality of still picture units. Once we add other type of information to ST1 (Subtitle stream; Col. 24, lines 34-49) we would have associated data with the still pictures divided into units. Therefore Kato and Okada anticipate limitations of claim 1.

Claim Objections

Claims 36, 43, 50, and 57 are objected to because of the following informalities: There is no “related data” in the previous claims on which the claims depend. Appropriate correction is required.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the first paragraph of 35 U.S.C. 112:

> The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

3. Claims 1-11 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claims contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventors, at the time the application was filed, had possession of the claimed invention. Computer-readable medium is new matter because there is no support in the specification.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

5. Claims1-4, 6-11, 26-31, 33-35,37-38,40-42,44-45,47-49,51-52 and 54-56 are rejected under 35 U.S.C. 103(a) as being anticipated by U.S. Patent Pub. 2002/0164152 A1 to Kato et al. ("Kato") in view of in view of U.S. Patent 6,122,436 to Okada et al. "Okada".

As to **claims 1, 26 and 27** Kato discloses a recording medium having a data structure for managing reproduction of still pictures, comprising: a playlist area storing at least one playlist file, the playlist file including at least one playitem (Fig. 7)(0154), at least one sub-playitem (Fig. 7) and mark information (0160)(0188-0190),

the playitem (Fig. 7) providing navigation information (EP_Map; Fig. 67;0199;0274) for reproducing at least one still picture from a first file (Video stream;0347-348),

the sub-playitem (Fig.7) associated with the playitem (Fig. 7)and providing navigation information (EP_Map; Fig. 67;0347-0350) for reproducing audio data from a second file (audio stream; 0349-0350), and the mark information including at least one mark pointing to the still picture (160;0188-0192)(0298)(Fig. 83).

Kato does not expressly disclose for reproducing presentation data from the first file, the presentation data including the at least one still picture and associated data, the presentation data being divided into still picture units in the first file such that each still picture unit includes a still picture and associated data.

Okada discloses for reproducing presentation data from the first file(ST1; Abstract), the presentation data including the at least one still picture and associated data (Subtitle stream; Col. 24, lines 34-49) , the presentation data being divided into still picture units (still picture data stored in plurality of units) in the first file (Video part stream; ST1; Abstract) such that each still picture unit includes a still picture and associated data(Subtitle steam, lines 34-49).

At the time of invention, it would have been obvious to a person of ordinary skill in the art to combine Okada with the teachings of Okada. Rationale to combine would have been that all the claimed elements were known in the prior art and one skilled in the art could have combined the elements as claimed by known methods with no change in their respective functions, and combination would have yielded predictable

results to one of ordinary skill in the art at the time of the invention.

As to **claims 2, 30, 37, 44, 51,** Kato further discloses wherein the at least one mark includes a type indicator indicating that the mark is of a type used for pointing to a still picture (0193-0194).

As to **claim 3,** Kato further discloses wherein the at least one mark includes a time stamp indicating a time address of the still picture in the first file (0189).

As to **claim 4,** Kato further discloses wherein the at least one mark includes a playitem indicator indicating the playitem with which the mark is associated (0189) (0190)(Fig. 44)(0294).

As to **claims 6,** Kato further discloses wherein the mark includes a time stamp indicating a time address of the still picture in the first file (0189)(0299).

As to **claims 7,** Kato further discloses wherein the mark includes a playitem indicator indicating the playitem with which the mark is associated (0189) (0190)(Fig. 44)(0294).

As to **claim 8,** Kato further discloses wherein the at least one mark includes a time stamp indicating a time address of the still picture in the first file (0189)(0299).

As to **claim 9,** Kato further discloses wherein the at least one mark includes a playitem indicator indicating the playitem with which the mark is associated (0189) (0190)(Fig. 44)(0294).

As to **claim 10,** Kato further discloses wherein the mark information includes a number of marks, and the mark information includes a number indicator indicating the number of marks (0298).

As to **claim 11,** Kato further discloses wherein, for each mark, the mark information provides a type indicator indicating a type of the mark (0189) (0190)(Fig. 44)(0294)(0298)(Fig. 43).

As to **claim 28,** Kato discloses an apparatus for recording a data structure for managing reproduction of at least one still image on a computer readable medium, the apparatus comprising:

a pick up configured to record data on the computer readable medium (Fig. 1, Readout unit 26);

a controller configured to control the pick up (Fig. 1, 26) to record at least one playlist file on the computer readable medium (Fig. 1, controller 23),

the playlist file including at least one playitem (Fig. 7)(0154), at least one sub-playitem (Fig. 7) and mark information (0160)(0188-0190),

the playitem (Fig. 7) providing navigation information (EP_Map; Fig. 67;0199;0274) for reproducing at least one still picture from a first file (Video stream;0347-348),

the sub-playitem (Fig.7) associated with the playitem (Fig. 7)and providing navigation information (EP_Map; Fig. 67;0347-0350) for reproducing audio data from a second file (audio stream; 0349-0350), and the mark information including at least one mark pointing to the still picture (160;0188-0192)(0298)(Fig. 83).

Kato does not expressly disclose for reproducing presentation data from the first file, the presentation data including the at least one still picture and associated data, the

presentation data being divided into still picture units in the first file such that each still picture unit includes a still picture and associated data.

Okada discloses for reproducing presentation data from the first file(ST1; Abstract), the presentation data including the at least one still picture and associated data (Subtitle stream; Col. 24, lines 34-49) , the presentation data being divided into still picture units (still picture data stored in plurality of units) in the first file (Video part stream; ST1; Abstract) such that each still picture unit includes a still picture and associated data(Subtitle steam, lines 34-49).

At the time of invention, it would have been obvious to a person of ordinary skill in the art to combine Okada with the teachings of Okada. Rationale to combine would have been that all the claimed elements were known in the prior art and one skilled in the art could have combined the elements as claimed by known methods with no change in their respective functions, and combination would have yielded predictable results to one of ordinary skill in the art at the time of the invention.

As to **claim 29,** Kato discloses an apparatus for reproducing a data structure for managing reproduction of at least one still image recorded on a recording medium, comprising:

a pick up configured to reproduce data recorded on the computer readable medium(Fig. 1, readout unit, 28);

a controller configured to control the pickup (readout unit, 28) to reproduce at least one playlist file from the recording medium, (Fig. 1, controller 23),

the playlist file including at least one playitem (Fig. 7)(0154), at least one sub-playitem (Fig. 7) and mark information (0160)(0188-0190),

the playitem (Fig. 7) providing navigation information (EP_Map; Fig. 67;0199;0274) for reproducing at least one still picture from a first file (Video stream;0347-348),

the sub-playitem (Fig.7) associated with the playitem (Fig. 7)and providing navigation information (EP_Map; Fig. 67;0347-0350) for reproducing audio data from a second file (audio stream; 0349-0350), and the mark information including at least one mark pointing to the still picture (160;0188-0192)(0298)(Fig. 83).

Kato does not expressly disclose for reproducing presentation data from the first file, the presentation data including the at least one still picture and associated data, the presentation data being divided into still picture units in the first file such that each still picture unit includes a still picture and associated data.

Okada discloses for reproducing presentation data from the first file(ST1; Abstract), the presentation data including the at least one still picture and associated data (Subtitle stream; Col. 24, lines 34-49) , the presentation data being divided into still picture units (still picture data stored in plurality of units) in the first file (Video part stream; ST1; Abstract) such that each still picture unit includes a still picture and associated data(Subtitle steam, lines 34-49).

At the time of invention, it would have been obvious to a person of ordinary skill in the art to combine Okada with the teachings of Okada. Rationale to combine would have been that all the claimed elements were known in the prior art and one skilled in

the art could have combined the elements as claimed by known methods with no change in their respective functions, and combination would have yielded predictable results to one of ordinary skill in the art at the time of the invention.

As to **claims 31, 38, 45, 52**, Kato further discloses wherein the at least one mark includes a time stamp indicating a time address of the still picture in the First file, and the at least one mark includes a playitem indicator indicating the playitem with which the mark is associated (0189-0190)(Fig. 44)(0294).

As to **claims 33, 40, 47, 54**, Kato further discloses wherein the at least one mark includes a time stamp indicating a time address of the still picture in the first file (0189;0299), and the at least one mark includes a playitem indicator indicating the playitem with which the mark is associated (Fig. 44;0189;0190;0294).

As to **claims 34, 41, 48, 55**, Kato further discloses wherein the at least one mark includes a time stamp indicating a time address of the still picture in the first file (0189;0299), and the at least one mark includes a playitem indicator indicating the playitem with which the mark is associated (Fig. 44; 0189-0190;0294).

As **to claims 35, 42, 49, 56,**Kato further discloses wherein the mark information includes a number of marks, and the mark information includes a number indicator indicating the number of marks, and for each mark, the mark information provides a type indicator indicating a type of the mark (Figs. 43-44; 0189-0190; 0294;0298).

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

7. Claims 5, 32, 39, 46 and 53 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent Pub. 2002/0164152 A1 to Kato et al. ("Kato") in view of U.S. Patent 6,122,436 to Okada et al. "Okada" and in further view of U.S. Patent Pub. 2005/0163463 A1 to Schick et al. ("Schick").

As to **claims 5, 32, 39, 46, and 53,** Kato as modified as discussed in claim 1 above discloses wherein the mark includes a mark type indicator indicating that the mark is of a type that provides a point to skip to (Fig. 43).

Kato doesn't expressly disclose when displaying a slideshow of still pictures.

Schick discloses a point to skip to while displaying a slideshow of still pictures (See figs. 4, 7,16 and 0143).

At the time of invention, it would have been obvious to a person of ordinary skill in the art to combine Kato with Schick. Motivation would have been to provide a skipping function having a "skip increment" in a slide show to skip between multiple images (0143).

8. Claims 36, 43, 50 and 57 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent Pub. 2002/0164152 A1 to Kato et al. ("Kato") in view of U.S. Patent 6,122,436 to Okada et al. "Okada" and in further view of U.S. Patent 6,856,756 B1 to Mochizuki et al. "Mochizuki"

As to **claims 36, 43, 50, 57,** Okada as modified as discussed in claim 1 discloses wherein the related data to be subtitle data (Subtitles, lines 34-49).

Okada as modified does not expressly disclose related data to be graphic data.

Mochizuki discloses related data to be graphic data (Col. 5, lines 15-47).

At the time of invention, it would have been obvious to a person of ordinary skill in the art to combine Kato as modified with the teachings of Mochizuki. Rationale to combine would have been that all the claimed elements were known in the prior art and one skilled in the art could have combined the elements as claimed by known methods with no change in their respective functions, and combination would have yielded predictable results to one of ordinary skill in the art at the time of the invention.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to ASHER KHAN whose telephone number is (571)270-5203. The examiner can normally be reached on 9:00 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thai Tran can be reached on (571)272-7382. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/A. K./
Examiner, Art Unit 2621

/Thai Tran/
Supervisory Patent Examiner, Art Unit 2621